



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerard *et al.*

Appl. No. 09/245,026

Filed: February 5, 1999

For: **Compositions and Methods for
Reverse Transcription of Nucleic
Acid Molecules**

Art Unit: 1637

Examiner: Strzelecka, T.

Atty. Docket: 0942.4330004/RWE/MTT

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Declaration Concerning the Deposited Biological Material

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Alan W. Hammond, on behalf of Invitrogen Corporation, having business concerns at 1600 Faraday Avenue, Carlsbad, California 92008, declare and state as follows:

Escherichia coli DH10B(pDABH-His) was deposited under the terms of the Budapest Treaty on April 15, 1997. This deposit was made at the Agricultural Research Culture Collection (NRRL) International Depositary Authority, 1815 N. University Street, Peoria, Illinois 61604, and given accession number NRRL B-21679. *Escherichia coli* (pDAMVABH-) was deposited under the terms of the Budapest Treaty on June 17, 1997. This deposit was made at the Agricultural Research Culture Collection (NRRL) International Depositary Authority, 1815 N. University Street, Peoria, Illinois 61604, and given accession number NRRL B-21790.

Assurance is hereby given that: (1) all restrictions on the availability to the public of the deposited materials will be irrevocably removed upon the granting of a patent, subject to 37 C.F.R § 1.808(b); (2) the materials have been deposited under conditions such that access to the material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto; and (3) the deposits will be maintained with all of the care

necessary to keep them viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposit, and in any case, for a period of at least thirty years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

I have read and understood 37 C.F.R. § 10.18(b) and (c).

Respectfully submitted,

Date: October 2, 2002

By:



Alan W. Hammond, Esquire
Chief Intellectual Property Counsel
Invitrogen Corporation

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